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The object of the book is "to fill the gap caused by the absence of modern works dealing with the *civil* responsibility of lunatics and of the mentally defective." There were three main reasons for undertaking the book: first, the unsatisfactory state of the law relating to civil responsibility of lunatics and of the mentally defective; second, the absence of any modern work in which the subject is adequately treated; and third, the steady increase in the number of the insane population of England since 1914. Chapter I is devoted to a study of definitions and classifications. In addition to various medical definitions quoted mostly from English authors, the excellent definitions from the Mental Deficiency Act of 1913 are stated. The definitions of insanity and classifications of insanity are taken largely from Dr. Henry Maudsley and Dr. Charles Mercier. Old English definitions have been quoted from the literature, and finally legal definitions and concepts are most concisely stated. Chapter II deals with mental deficiency in relation to tort. Chapter III deals with mental deficiency and the law of contract. It is divided into seven parts and covers not only mental deficiency in its narrow sense, but also insanity in relation to contracts. Chapter IV is devoted to discussion of mental deficiency and marriage, Chapter V to insanity and divorce, Chapter VI to testamentary capacity and mental deficiency, and Chapter VII briefly discusses the evidence of insanity. An appendix is added containing a summary of chief powers and duties of lunacy and mental deficiency authorities in England, and a second appendix contains suggestions for the reform of lunacy and mental deficiency administration. The typography is good, and the book contains a very useful index and a table of cases cited.

The good judgment and restraint of the author is nowhere more evident than in the suggestions for reform. These are four in number and might well be considered by students of this subject in this country, especially the fourth recommendation, which suggests making the Board of Control a sub-department of the new Ministry of Health and "that the Board be given statutory powers to deal with all cases of unsoundness of mind (*i. e.*, lunatics and mental defectives) in such manner as may be prescribed by Parliament; that is to say, the Board shall be enabled to certify, to segregate, to treat in or outside of institutions, all persons who by reason of defect of mind are a danger or a potential danger to themselves or to the community and to discharge them in proper circumstances. In other words, it is proposed to confer on the Central Authority wide powers for dealing not only with certified lunatics, idiots, imbeciles and feeble-minded persons, but also with all persons who may be suffering from mental disorder in an incipient stage."

It is interesting to note that a serious consideration of civil responsibility in connection with mental abnormality leads to the above conclusion, one which students of criminology have reached sometime since. Emphasis upon this more general aspect may help secure a more intelligent attitude on this latter than has been possible on the basis of experience in criminal cases alone.

HERMAN M. ADLER

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A DIGEST OF ENGLISH CIVIL LAW. By Edward Jenks (Editor), W. M. Geldart. W. S. Holdsworth, R. W. Lee, and J. C. Miles. Second Edition. London: Butterworth & Co. 1921. Vol. I, pp. ccxlii, 668. Vol. II, pp. 669-1424.

The distinguished array of authors leads one to expect high things from this ambitious work. Book I, a catch-all called "General," and Book III, Things, were written by Professor Jenks; part of Book II, Contracts, by Professor Lee; The remainder of Book II, Torts, by Mr. Miles; Book IV

Family Law, by Professor Geldart; and Book V, Succession, by Mr. Holdsworth.

A Digest is, in our law, a collection of decisions with more or less expository statement. It might be asked why, in view of Lord Halsbury's complete and helpful collection of decisions, "The Laws of England," this partial collection should be made. It might be asked why so novel a division of the law should be adopted. It might be loudly demanded what possible use there can be in reducing a complex and delicately shaded body of doctrine like the law into a collection of disjointed dogmas, elementary, so simple as to be misleading, so placid as to be deadly dull. Is this that "general view of the law as a complete whole" which some old-fashioned legal educators urge as desirable?

Given the plan, the execution is on the whole, of course, excellent. One can get a fairly good notion of the principal heads of a portion of the law by a study of the table of contents, supplemented by reading the text. But in some cases brevity becomes misleading. Under the section "Self-Help" it is said: "A person . . . whose possession is wrongfully interfered with, is justified in employing, against the wrong-doer, force apparently necessary to prevent the accomplishment or continuance of that . . . interference," thus leading one to suppose that one may kill, if necessary, to prevent a trespass on land; and "A person entitled to the possession of a chattel may seize it, by force if necessary," thus allowing an invasion by force of the peaceful possession of an innocent purchaser from a thief. The first of these errors is corrected later (p. 436), but the second remains uncorrected, except for a caution in a note (*ibid.*). As an example of brevity that dodges difficulties, the whole law of agency, so far as liability to third persons is concerned, is contained in seven and one half lines (p. 55). The words "cause," "consequence," "proximate," "remote" are not found in the index. There is no general treatment of the Conflict of Laws, nor does the work contain any discussion of such questions as what law governs the obligation of a contract, what power a foreign executor or administrator may have, or what recognition will be given to a foreign marriage where one or both parties were aliens. The law of legitimacy is stated as if no question of the legitimacy of an alien could arise in an English court.

An examination of this book confirms the idea that any attempt briefly to make the law simple, easy, or complete is foredoomed to failure.

J. H. BEALE.

#### SPECULATION AND GAMBLING IN OPTIONS, FUTURES, AND STOCKS IN ILLINOIS.

By James C. McMath. Chicago: George I. Jones. 1921. pp. xxxvi. 70.

This little book does not purport to be anything more than an outline of the law of gambling contracts with special reference to Illinois law, more especially as affecting transactions in grain futures and stocks. As such it will doubtless be of service to lawyers in the handling of cases involving such transactions. To this end it contains in the front an alphabetical index, or rather digest, with frequent references to the leading cases, text-books, and legal periodicals, and less frequent references to the text of the book itself. As the author takes care to point out, many references are to be found in this index-digest which are not to be found elsewhere in the book. In addition there is in the back of the book an appendix containing the Illinois statutes on the subject, together with an alphabetical list of Illinois cases and occasional reference to notes and articles in legal periodicals. The text itself is inclined to the platitudinous and adds little or nothing to the subject from the point of view of the student. On the whole one must regret that the author could not take the time to work his material into the concise and learned essay which the subject needs and deserves.

C. A. M.